

## **REMARKS**

Claims 1-49 are pending in the present application.

This Amendment is in response to the Office Action mailed January 19, 2007. In the Office Action, the Examiner rejected claims 1, 3-5, 7-11, 14, 16-18, 21-26, 28-32, 34-36, 39-44 and 46-49 under 35 U.S.C. § 102(e) and claims 1, 2, 6, 11-13, 14, 15, 19, 20, 27, 32, 33, 37, 38 and 45 under 35 U.S.C. § 103(a).

Applicant has amended claims 1, 14 and 32. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

### **I. REJECTIONS UNDER 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1, 3-5 and 7-11 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,275,239 issued to Ezer et al. ("Ezer"). The Examiner also rejected claims 14, 16-18, 21-26, 28-32, 34-36, 39-44 and 46-49 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,331,852 issued to Gould et al. ("Gould"). Applicant respectfully traverses the rejections for the following reasons.

Ezer discloses a media coprocessor for partitioning 3-D graphics, video, and audio functions through time division multiplexing (Col. 2, lines 10-13). The coprocessor includes a bit stream processor 201 (Fig. 4), a display processor 203 (Figs. 2&4), a 3-D graphics and video combiner or a 3-D graphics subsystem 330a (Fig. 3, Col. 7, lines 39-41, a texture memory 425 (Fig. 4, Col. 8, lines 12-44), a TV 310 (Fig. 3), and a digital signal processor 202 (Fig. 4). Ezer, however, does not disclose three-dimensional graphics frames forming an object that can be visually modified by a user with added detail of a three-dimensional texture image.

Gould discloses a method for providing a three-dimensional object on live video including processing that begins by filing at least a portion of a back buffer with a key color where the key color indicates the presentation of the video (Abstract). Gould may have disclosed decoding live broadcast signal with a decoder (Col. 3, lines 57-60; Col. 3, line 66 to Col. 4, line 2), transporting said live broadcast signals to a graphics chip (Col. 4, lines 48-52; Col. 6, lines 16-20); and rendering a three-dimensional graphics image (Col. 4, lines 39-47; Col. 5, lines 1-3; Col. 5, lines 66 to Col. 6, line 1; Col. 6, lines 35-38) on an output device (Col. 3, lines 36-40) using said live broadcast signals. Unlike the present invention, Gould does not disclose modifying said three-dimensional graphics image by a user with added detail of a three-dimensional texture image.

To support a 102 rejection, the Examiner must show that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bro. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987), (MPEP §2131). In addition, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), (MPEP §2131). Here the Examiner has not pointed out the specific language in Ezer that teaches three-dimensional graphics frames that form object that can be visually modified by a user with added detail of a three-dimensional texture image; or Gould that teaches modifying said three-dimensional graphics image by a user with added detail of a three-dimensional texture image.

Ezer, Gould, taken alone or in any combination, do not disclose, suggest, or render obvious three-dimensional graphics frames that form an object that can be visually modified by a user with added detail of a three-dimensional texture image; or modifying said three-dimensional graphics image by a user with added detail of a three-dimensional texture image.

Since there is no showing of the identical invention in as complete detail as is contained in the claimed invention, Applicant respectfully requests that rejections under 35 U.S.C. §102(e) be withdrawn.

## II. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected: 1) claims 1, 2, and 6 under 35 U.S.C. § 103(a) as being unpatentable over Inventor Ezer in view of U.S. Patent No. 6,552,750 issued to Suen et al. ("Suen"); 2) claims 1 and 11-13 under 35 U.S.C. § 103(a) as being unpatentable over Ezer in view of Smith ("VHDL & Verilog Compared & Contrast"); 3) claims 14, 15, 19, 32, 33 and 37 under 35 U.S.C. § 103(a) as being unpatentable over Gould in view of U.S. Patent No. 6,919,929 B1 issued to Iacobelli et al. ("Iacobelli"); 4) claims 14, 20, 32, and 38 under 35 U.S.C. § 103(a) as being unpatentable over Gould in view of Ezer; and 5) claims 14, 27, 32, and 45 under 35 U.S.C. § 103(a) as being unpatentable over Gould. Applicant respectfully traverses the rejections for the following reasons.

Suen discloses video signals that are received at a video decoder 11. The signals are decoded, and are transferred to a synchronization circuit 18 (Col. 3, lines 1-2). Suen further discloses a clock signal that is used by the synchronization circuit 18 to synchronize the video and graphics signals to function with the same timing (Col. 65-67). Smith discloses two industry standard hardware description languages, VHDL and Verilog. Iacobelli discloses a system and method for displaying video and graphics data of different formats onto the same display... A signal is then asserted in order to synchronize graphic and video to the same frame or field (Figs. 5A & 5B, Col. 5, lines 53-55; Col. 11, lines 1-7).

Gould, Ezer, Suen, Smith, Iacobelli, taken alone or in any combination, do not disclose, suggest, or render obvious three-dimensional graphics frames that form object that can be visually modified by a user with added detail of a three-dimensional texture image; or modifying said three-dimensional graphics image with added detail of a three-dimensional texture image. As an example of texture mapping, a texture image defining a wood grain pattern, the wood grain pattern of the texture image may be mapped onto the cube such that the cube appears to be made out of wood, marble and are only limited by the imagination of the user. This aspect of the invention is supported in the specification in paragraphs 17-18, and is recited in amended claims 1, 14, and 32.

Therefore, Applicant believes that independent claims 1, 14, 32 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 102(b) and § 103(a) be withdrawn.

**CONCLUSION**


In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

DISCOVISION ASSOCIATES

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